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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,174	10/06/2003	Hassan P. A. Salam	66455-231-7	2284

25269 7590 05/31/2006

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WASHINGTON, DC 20005

EXAMINER

TOBERGTE, NICHOLAS J

ART UNIT	PAPER NUMBER
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2823

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/678,174

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Salam

66455-231-7

EXAMINER

Nicholas Tobergte

ART UNIT

PAPER

2823

20060525

DATE MAILED:

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Commissioner for Patents

The amendment filed 3/16/06 is non-responsive. Please see attached Office Action for details.

MATTHEW SMITH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

## DETAILED ACTION

### *Response to Amendment*

The reply filed on 3/16/06 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Newly submitted claims 51-128 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Originally presented independent claims (now canceled) 47, 48, and 50 are drawn to the following inventions:

Claim 47: A method.

Claim 48: A light source comprising at least four inorganic LEDs having different nominal colors of light.

Claim 50: A light source comprising an inorganic LED with light generated by the LED wave-guided in the LED, wherein the LED is coated with a phosphor layer.

The newly presented claims 51-128 are drawn to an LED lamp that does not contain any of the limitations found (underlined above for emphasis) in claims 48 or 50, and are not method claims. This establishes that the newly presented claims are patentably distinct from the original (now canceled) claims, and therefore is considered a different invention.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 51-128 are

withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas J. Tobergte whose telephone number is 571-272-6006. The examiner can normally be reached on Mon - Thur 7am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith can be reached on 571-272-1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

NJT